

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

United States Postal Service,

)

Petitioner,

)

)

v.

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Case No. 13-1308

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Postal Regulatory Commission,

)

Respondent.

)

**MOTION OF THE
ASSOCIATION FOR POSTAL COMMERCE
FOR LEAVE TO INTERVENE**

Pursuant to Rule 15(d) of the Federal Rules of Appellate Procedure and Circuit Rule 15(d), the Association for Postal Commerce (“PostCom”) hereby moves to intervene in this review proceeding. In support thereof, PostCom states:

1. PostCom is an association of the nation’s largest advertising mailers, printers, and shippers. Its membership encompasses both commercial and non-profit entities, and includes the largest customers of the United States Postal Service. PostCom members rely heavily on a wide range of mail products and services, and have an interest in the overall efficiency of the United States Postal Service, while maintaining quality of service.

2. In this review proceeding, the United States Postal Service seeks judicial review of an order entered by the Respondent, the United States Postal Regulatory Commission (“PRC”), on November 21, 2013, in PRC Docket No.

R2013-10, *Order on Price Adjustments for Market Dominant Products and Related Mail Classification Changes*, (“Order No. 1890”)

3. In Order No. 1890, the PRC generally approved the prices for mail products proposed by the Postal Service. It also held, however, that the Postal Service improperly calculated the percentage increase for products subject to certain proposed mandatory preparation requirements and that the price increases for those products did not conform to the limitations in 39 U.S.C. § 3622(d). It directed the Postal Service to either properly account for these increases in developing rates or decline to impose the mandatory requirements.

4. PostCom’s members are substantial mail users, including of the postal products which would have been subject to the proposed mail preparation requirements. How such requirements are treated for purposes of 39 U.S.C. § 3622(d) will significantly impact their postage costs. PostCom was a participant of record in the proceedings in Docket No. R2013-10 that resulted in Order No. 1890. PostCom therefore has direct and substantial interests in this case.

Respectfully submitted,

/s/ Matthew D. Field
Matthew D. Field
Ian D. Volner
VENABLE LLP
575 7th Street, NW
Washington, DC 20004-1601
(202) 344-4814
idvolner@venable.com

mfield@venable.com

Attorneys for PostCom

January 14, 2014

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**DISCLOSURE STATEMENT OF
THE ASSOCIATION FOR POSTAL COMMERCE**

The Association for Postal Commerce (“PostCom”) hereby files its Disclosure Statement pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure, Fed. R. App. P. 26.1.

1. PostCom is a membership organization comprised of direct marketing firms, printers, letter shops, suppliers, and others who use or support the use of mail for business communication and commerce. PostCom is organized under the laws of the District of Columbia, and has its principal place of business in Arlington, Virginia. PostCom is a trade association within the meaning of Circuit Rule 26.1.

2. Members of PostCom are customers, competitors, or licensees of the Postal Service for both postal and nonpostal services and products that are the subject of the Commission order under review.

Respectfully submitted,

/s/ Matthew D. Field
Matthew D. Field
Ian D. Volner
VENABLE LLP
575 7th Street, NW
Washington, DC 20004-1601
(202) 344-4814
idvolner@venable.com
mfield@venable.com

Attorneys for PostCom

January 14, 2014

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of January 2014, I electronically filed the foregoing with the Clerk of the Court for the U.S. Court of Appeals for the District of Columbia Circuit using the appellate CM/ECF system. All participants are registered CM/ECF users, and will be served by the appellate CM/ECF system, except for the following, who will be served a true and correct copy of this motion by First-Class Mail, postage prepaid:

Stephen J. Boardman
U.S. Postal Service
(USPS) General Counsel
475 L'Enfant Plaza, SW
Washington, DC 20260-1136

/s/ Matthew D. Field

January 14, 2014